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13281 U.S. PTO
010604

16834 U.S. PTO
10/751418
010604

Date: January 6, 2004

Docket No.: 0051-0216P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/821,074 filed on March 30, 2001,
the entire contents of which are hereby incorporated by
reference,
by

Yoji TANAKA, Toru ICHIKAWA and Tomio TAHARA

for

PLASTIC CONTAINER AND METHOD OF MANUFACTURING THE SAME

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).

2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	1-20 =	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	1-3 =	0	x 86 = \$0.00	x 43 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$770.00	\$0.00

3. ☒ A check in the amount of \$770.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are six (6) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/821,074 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Kabushiki Kaisha Hosokawa Yoko and Kamaya Kagaku Kogyo Kabushiki Kaisha.
8. ☒ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No(s). 2000-94352 filed in Japan on March 30, 2000 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on November 9, 2001.

- 9b. ☐ Priority of International Appln. _____ filed on _____
under the Patent Cooperation Treaty and _____
Application No. _____ filed in _____ on _____ under 35
U.S.C. § 120 and/or § 119 are hereby reclaimed.
10. ☒ An Information Disclosure Statement and PTO-1449
form(s) are attached hereto for the Examiner's
consideration.
11. ☒ Address all future communications to:


BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000


or
Customer No. 02292
12. ☐ An extension of time for _____ () month(s) until _____
has been submitted in parent Application No. 09/821,074
in order to establish co-pendency with the present
application.
13. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Marc S. Weiner, #32,181


MSW/DRM/enm
0051-0216P

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Attachment(s)